

# REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
82,141	CLASS 149	SUBCLASS 19.4	Edward A. Miller	3641

Address to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior Application Number 09/497,873, filed on February 4, 2000, entitled Hydrolyzable Prepolymers for Explosive and Propellant Binders.

1. Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application number 09/497,873, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.


(1) FOR CLAIMS AS AMENDED	(2) NUMBER	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATION
TOTAL CLAIMS	20 - 20 =	0	X \$18.00	\$0
INDEPENDENT CLAIMS	3 - 3 =	0	X \$80.00	\$0
			BASIC FEE	\$710.00
			TOTAL	\$710.00

2. ☒ The Commissioner is hereby authorize to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 50-1114. A duplicate copy of this paper is enclosed.
3. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
4. ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
5. ☒ The inventors of the invention being claimed in this application is (are): Horst G. Adolph and Michael E. Sitzmann
6. ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.53(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

7. ☒ Amend the specification by inserting before the first line the sentence: "This application is a continuation of pending application number 09/497,873, filed February 4, 2000."
8. ☐ New formal drawings are enclosed.
9. ☐ Priority of foreign application number \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 110(a)-(d).  
☐ The certified copy has been filed in prior application number \_\_\_\_/\_\_\_\_\_, filed \_\_\_\_\_.
10. ☒ A preliminary amendment is enclosed.
11. ☒ The prior application is assigned of record to The United States of America, as represented by the Secretary of the Navy, recorded February 23, 2000 Reel 010566 Frame 0841.
12. ☒ Also enclosed: Non-Publication Request
13. ☒ The Power of Attorney in the prior application is to: \_\_\_\_\_.

- a. ☒ The power of attorney appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Address all future correspondence to:

Office of Counsel, Code OC4  
Naval Surface Warfare Center  
Indian Head Division  
101 Strauss Avenue, Bldg. D-326  
Indian Head, MD 20640-5035

  
Mark Homer, Reg. No. 41,848  
Attorney for Applicants  
Tele: (301) 227-1835

5/9/01  
Date

- ☐ Inventor(s)
- ☐ Assignee of complete interest. Certification under 37 CFR 3.73(b) is enclosed.
- ☒ Attorney or agent of record
- ☐ Filed under 37 CFR 1.34(a) \_\_\_\_\_.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

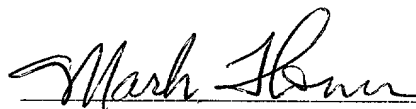
<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Horst G. Adolph
	Title	Hydrolyzable Prepolymers for Explosive and Propellant Binders
	Atty Docket Number	82,141

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

5/9/01

Date



Signature

Mark Homer, Reg.No. 41,848

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231